



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

IN REPLY REFER TO:

5800

JAM7

SEP 26 2003

FOURTH ENDORSEMENT on CO, MCSFBn ltr 5800 Leg of 2 Apr 03

From: Commandant of the Marine Corps (JAM)
To: Judge Advocate General of the Navy (Code 20), 1322
Patterson Avenue, Suite 3000, Washington Navy Yard, DC
20374-5047

Subj: REQUEST FOR AUTHORITY TO CONVENE SPECIAL COURTS-MARTIAL

1. Forwarded recommending approval.
2. The basic correspondence is a request for Secretarial authority for the Commanding Officer, Third Fleet Anti-Terrorism Security Team Company (3D FAST), Cheatham Annex Yorktown, Virginia, to convene special courts-martial.
3. 3D FAST supports the U.S. Navy worldwide. It is commanded by a major and is comprised of 16 officers and 347 enlisted personnel. The size and mission of the unit justify approval.
4. The commanding officers of every other company within Marine Corps Security Force Battalion (MCSFBn) - including 1st FAST - have already received Secretarial authority to convene special courts-martial.

A handwritten signature in black ink, appearing to read "M. R. Stahlman", is written over a horizontal line.

M. R. STAHLMAN
By direction

Copy to:
COMMARFORLANT



UNITED STATES MARINE CORPS

U. S. Marine Corps Forces, Atlantic
1468 Ingram Street
Norfolk, Virginia 23551-2596

5800
SJA/N/tcl

AUG 26 2003

AIRD ENDORSEMENT on CO, MCSFBn ltr 5800 leg of 2 Apr 03

com: Commander, U. S. Marine Corps Forces, Atlantic
to: Secretary of the Navy
la: (1) Commandant of the Marine Corps (JAM), Headquarters
U. S. Marine Corps, 2 Navy Annex, Washington, DC,
20380-1775
(2) Judge Advocate General of the Navy (Code 20), 200
Stoval Street, Alexandria, VA 22332-2400

Subj: REQUEST FOR AUTHORITY TO CONVENE SPECIAL COURTS-MARTIAL

1. Forwarded, recommending approval.

2. If approved, the Commanding Officer, 3rd Fleet Anti-Terrorism Security Team, would have the authority to quickly resolve military justice matters at the lowest appropriate level.


T. L. MOORE, JR.

Copy to:
CG, II MEF
CG, 4th MEB
CO, MCSFBn
CO, 3d FASTCo
File



UNITED STATES MARINE CORPS
II MARINE EXPEDITIONARY FORCE
PSC BOX 20080
CAMP LEJEUNE, NC 28542-0080

IN REPLY REFER TO:
5800
SJA
AUG 20 2003

SECOND ENDORSEMENT on CO, MCSFBn ltr 5800 Leg of 2 Apr 03

From: Commanding General, II Marine Expeditionary Force
To: Secretary of the Navy
Via: (1) Commander, U.S. Marine Forces, Atlantic
(2) Commandant of the Marine Corps (IAM)
(3) Judge Advocate General of the Navy

Subj: REQUEST FOR AUTHORITY TO CONVENE SPECIAL COURTS-MARTIAL

1. Forwarded, recommending approval.
2. If approved the Commanding Officer, 3rd FAST Company would have the authority to effectively and efficiently resolve military justice matters at the lowest appropriate level.

H P Osman
H. P. OSMAN

Copy to:
CO, 3d FASTCo
CO, MCSFBn
CG, 4th MEB
Files



UNITED STATES MARINE CORPS
4TH MARINE EXPEDITIONARY BRIGADE (AT)
PSC BOX 20071
CAMP LEJUNE, NC 28542-0071

IN REPLY REFER TO:

5800

SJA

AUG 12 2003

TRST ENDORSEMENT on CO, MCSFBn ltr 5800 Leg of 2 Apr 03

From: Commanding General, 4th Marine Expeditionary Brigade (AT)
To: Secretary of the Navy
Via: (1) Commanding General, II Marine Expeditionary Force
(2) Commanding General, U. S. Marine Corps Forces Atlantic
(3) Commandant of the Marine Corps (JAM), 2 Navy Annex, Washington, DC 20380
(4) Judge Advocate General of the Navy (Code 20), 200 Stovall Street, Alexandria, VA 22332-2400

Subj: REQUEST FOR AUTHORITY TO CONVENE SPECIAL COURTS-MARTIAL

Ref: (a) Article 23, UCMJ
(b) JAGINST 5800.7C (JAGMAN)
(c) MCO P1400.32C (MARCORPROMAN)

1. Forwarded, recommending approval.
2. Per references (a) and (b), it is requested that the Commanding Officer, 3rd Fleet Anti-Terrorism Security Team be authorized to convene special courts-martial.
3. Per reference (c), approval of the request will allow the Commanding Officer, a O-4/Major, to promote enlisted personnel up to the rank of Sergeant. Additionally, it will permit the Commanding Officer to reduce Sergeants and below one rank at non-judicial punishment.
4. Per paragraph 0121f of reference (b), the following information is provided:
 - a. All other Commanding Officers in the Marine Corps Security Force Battalion have special court-martial convening authority.
5. Major M. F. Fussa, Staff Judge Advocate, 4th Marine Expeditionary Brigade is the point of contact regarding this matter. He can be reached at (910) 451-7207, DSN 751-7207.


D. V. ODELL

Copy to:
CO, 3rd FASTCo
CO, MCSFBn
Files



UNITED STATES MARINE CORPS
Marine Corps Security Force Battalion
1320 Piersey Street
Norfolk, Virginia 23511-2598

IN REPLY REFER TO:

5800

Leg

APR 02 2003

From: Commanding Officer, Marine Corps Security Force Battalion
To: Secretary of the Navy
Via: (1) Commanding General, 4th Marine Expeditionary Brigade
(AT)
(2) Commandant of the Marine Corps (JAM), Headquarters
U.S. Marine Corps, 2 Navy Annex, Washington, DC,
20380-1775
(3) Judge Advocate General of the Navy (Code 20), 200
Stovall Street, Alexandria, VA 22332-2400

Subj: REQUEST FOR AUTHORITY TO CONVENE SPECIAL COURTS-MARTIAL

Ref: (a) Article 23, UCMJ
(b) MCO P1400.32C (MARCORPROMMAN)
(c) JAGINST 5800.7C (JAGMAN)

1. Third Fleet Anti-Terrorism Security Team (3D FAST) Company will be located at Cheatham Annex Yorktown, Virginia. 3D FAST Company will provide short term security augmentation for installations and ships or vital naval and national assets when threat conditions have been elevated beyond the capabilities of the permanent security forces as approved by CNO (N34) in coordination with CMC (POS-30), and when directed conduct other short term military and emergency operations. 3D FAST Company's Table of Organization (T/O) consists of 16 officers and 347 enlisted personnel. 3D FAST Company will be commanded by a Major. Per references (a) and (b) the Commanding Officer of 3D FAST Company does not have authority to convene Special Courts-Martial.

2. Without special courts-martial convening authority, all special courts-martial cases must be forwarded to the Commanding Officer, Marine Corps Security Force Battalion, located at Naval Station Norfolk, Norfolk, Virginia. This causes a disruption in the flow of military justice because cases cannot be resolved locally at the lowest level of command. Also, without special court-martial convening authority, the Company Commander cannot convene administrative discharge boards under reference (c). Other Marine Corps Security Force Companies within the Battalion have special court-martial convening authority.

Subj: REQUEST FOR AUTHORITY TO CONVENE SPECIAL COURTS-MARTIAL

3. As required by paragraph 0121f of reference (b), the following information is provided:

a. Number of cases referred. No cases from this command have been referred to special courts-martial this fiscal year.

b. Role of reorganization and downgrading. Reorganization and downgrading are not the reasons for this request.

c. SPCMA if request is not approved. The Commanding Officer, Marine Corps Security Force Battalion, will convene special courts-martial for the Company if this request for authority is denied.

d. Additional/tenant commands. The company is not responsible for additional commands or tenant commands.

e. Number of personnel: operational and administrative responsibility. As indicated above, the Company has a T/O of 16 Officers and 347 enlisted members.

f. Geographical reasons necessitating SPCMA. The Battalion is located in Norfolk, Virginia and the Company is located at Cheatham Annex, Yorktown, Virginia.

4. Point of contact is the Battalion Legal Officer, First Lieutenant Cisco at (757) 445-0511, e-mail CiscoJM@marforlant.usmc.mil.

B. A. Gandy
B. A. GANDY



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

IN REPLY REFER TO:

5800
JAM7

JAN 13 2003

FIRST ENDORSEMENT on CG, 1stFSSG ltr 5800 SJA of 8 Jan 03

From: Commandant of the Marine Corps (JAM)
To: Judge Advocate General of the Navy (Code 20), 716 Sicard
Street S.E., Suite 1000, Washington Navy Yard, D.C.
20374-5047

Subj: REQUEST FOR GENERAL COURTS-MARITAL CONVENING AUTHORITY
FOR 1ST FORCE SERVICE SUPPORT GROUP (REAR) DURING
CONTINGENCY OPERATIONS

1. Forwarded, recommending approval.
2. Paragraph 5 of the basic correspondence is corrected to state, "Per paragraph (f) of reference (b)"
3. By the Secretary of the Navy granting the Commander, 1st Force Service Support Group (Rear), Camp Pendleton, CA, the authority to convene general courts-martial the deployed and garrison commanders can ensure the prompt disposition of offenses. Approval of this request prevents appellate litigation of which convening authority should take post-trial action per Rules for Court-Martial 1107 of reference (b). (United States v. Watson, 37 M.J. 166 CC.M.A. 1993).
4. Approval of this contingency request will keep pending cases, particularly those involving pretrial confinement, from being delayed. This ensures both compliance with Article 10 of the Uniform Code of Military Justice and prevents litigation of speedy trial issues that could involve deployed commanders. Additionally, approval will prevent creation of a backlog of cases in the busiest jurisdiction in the Department of Defense.
4. The request complies with paragraph (f) of reference (b).

R. G. Sokołowski
R. G. SOKOŁOSKI
By direction

Copy to:
CG, 1stFSSG



UNITED STATES MARINE CORPS

1ST FORCE SERVICE SUPPORT GROUP, MARFORPAC

BOX 555606

CAMP PENDLETON, CALIFORNIA 92065-5606

IN REPLY REFER TO:

5800

SJA

8 Jan 03

From: Commanding General
To: Secretary of the Navy
Via: (1) Commandant of the Marine Corps (JAM), Headquarters, U.S. Marine Corps,
2 Navy Annex, Washington, DC 20380-1775
(2) Judge Advocate General of the Navy (Code 20)
Subj: REQUEST FOR GENERAL COURT-MARTIAL CONVENING AUTHORITY FOR 1ST FORCE
SERVICE SUPPORT GROUP (REAR) DURING CONTINGENCY OPERATIONS
Ref: (a) Article 22(a) (8), UCMJ
(b) JAGMAN, section 0121
(c) U.S. Navy Regulations, 1990, section 0723
(d) MCO P1400.32C (MARCORPROMMAN)
Encl: (1) Diagram of garrison structure of 1st FSSG
(2) Diagram of 1st FSSG (-) (rein) command structure
(3) Diagram of 1st FSSG (Rear) command structure
(4) CG 1stFSSG ltr Ser SJA of 08 Jan 03
(5) CG 1stFSSG Group Bulletin 1301 ser G-1 of 10 Dec 02 with Change 1

1. This request is submitted to address the command authority issues that arise with the overseas deployment of 1st Force Service Support Group (FSSG). To meet the operational Combat Service Support (CSS) requirements of I Marine Expeditionary Force (IMEF), 1st FSSG must reorganize from its garrison structure of functional battalions (e.g., 1st Supply Battalion, 1st Maintenance Battalion, etc. (see enclosure (1)) into composite CSS commands. This reorganization and deployment will result in two major commands being located several thousand miles apart. The first major command, with the vast majority of the Marines and Sailors of 1st FSSG, will organize into composite Combat Service Support Groups (CSSG's), Combat Service Support Battalions (CSSB's), and Combat Service Support Companies (CSSC's). See enclosure (2). These composite CSSG's, CSSB's, and CSSC's will deploy as part of 1st FSSG(-) (rein) in support of the contingency operations of IMEF. The second major command, 1st FSSG (Rear), is composed of over 2,200 Marines and Sailors in the Remain Behind Elements (RBE's) of each battalion at Camp Pendleton along and the RBE's of 1st FSSG commands at Twentynine Palms, CA; Yuma, AZ; and Miramar, CA. See enclosure (3). This reorganization and deployment creates the command authority issues that form the basis for this request.

2. I, respectfully request the Secretary of the Navy grant the Commander, 1st Force Service Support Group (Rear), the authority to convene general courts-martial per references (a) and (b). Enclosure (4) designates 1st Force Service Support Group (Rear), Camp Pendleton, CA, as a separate and detached command as defined in reference (c) and specifies that 1st Force Service Support Group

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Subj: REQUEST FOR COURT-MARTIAL CONVENING AUTHORITY FOR THE COMMANDS OF 1ST
FORCE SERVICE SUPPORT GROUP DURING CONTINGENCY OPERATIONS

(Rear) shall exist only for so long as the 1st Force Service Support Group remains deployed.

3. To meet operational commitments and planning timelines, the reorganization of 1st FSSG is currently underway. Accordingly, it is specifically requested that this authority be approved as soon as possible, though the effective date of the authority will be determined by later specified events.

4. 1st FSSG (Rear) will inherit all of the non-deployable personnel from the deploying commands of 1st FSSG to include over 30 pending general and special courts-martial. If approved, the Commander of 1st FSSG (Rear) would act as the special and general courts-martial convening authority for the remain behind elements of 1st FSSG commands located in Yuma, AZ; Twentynine Palms, CA; and Miramar, CA. See enclosure (3). For the personnel at Camp Pendleton, the CO, CSSG-14 will have authority to convene special courts-martial, carry out promotions and reductions in accordance reference (d). See enclosure 5. Using CSSG-14 to exercise battalion-level command functions will allow the CO, 1st FSSG (Rear) to focus on providing operational support to the deployed commands of 1st FSSG and, if approved, act as a general court-martial convening authority and separation authority on more serious disciplinary and administrative actions.

5. Per paragraph (f) of reference (c),^b the following information is provided:

a. The pending deployment of the 1st Force Service Support Group is the primary reason for this request.

b. Within 1st Force Service Support Group, 121 cases were tried by general and special courts-martial in 2002. This number does not include another 36 cases that were preferred in contemplation of special courts-martial, but that were resolved by alternative disposition.

c. 1st Force Service Support Group (Rear) is composed of the remain-behind elements of the FSSG. The CO, 1st Force Service Support Group (Rear) is operationally and administratively responsible for the following commands and/or units:

1. Combat Service Support Group 14. Based at Camp Pendleton, CA. CSSG-14 is responsible for the RBE's of 1st FSSG battalions located at Camp Pendleton, CA. Specific units include Headquarters and Service Detachment, Supply Detachment, Maintenance Detachment, Engineer Support Detachment, Transportation Support Detachment, and Medical/Dental Detachment. CSSG-14 is composed of over 1800 personnel.

2. Combat Service Support Detachment 141. Based at Twentynine Palms, CA, CSSD-141 is the remain-behind element of Combat Service Support Group 1. CSSD-141 is composed of over 200 personnel.

3. Combat Service Support Detachment 143. Based at Miramar, CA, CSSD-143 is the remain-behind element of the Intermediate Maintenance Activity at MCAS Miramar. CSSD-143 is composed of over 30 personnel.

Subj REQUEST FOR COURT-MARTIAL CONVENING AUTHORITY FOR THE COMMANDS OF 1ST
FORCE SERVICE SUPPORT GROUP DURING CONTINGENCY OPERATIONS

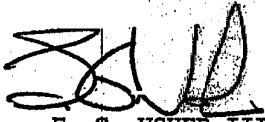
4. Combat Service Support Detachment 146. Based at Yuma, AZ, CSSD-146 is the remain-behind element of Combat Service Support Group 16. CSSD-146 is composed of over 80 personnel.

5. Combat Service Support Detachment 147. Based in San Diego and March Reserve Air Force Base, CA, CSSD-147 is a newly created task-organized detachment responsible for the embarkation and debarkation of all IMEF deploying forces from San Diego and March RAFB. CSSD-147 is composed of over 180 personnel.

d. In the event of a deployment, the Commanding Officer of 1st Force Service Support Group (Rear) would be operationally and administratively responsible for over 2,200 Marines and Sailors scattered over 400 miles between six locations in two states.

6. Without the authority to convene general courts-martial, the Commanding Officer, 1st Force Service Support Group (Rear) would have to either forward cases to the deployed Commanding General or request assistance from the Commanding Generals of Marine Corps Base Camp Pendleton, CA, Marine Corps Combat Development Command in 29 Palms, CA, and Marine Corps Air Bases West in Miramar, CA. Having to utilize several different commands to resolve cases will add needless complexity and costly delay in case processing. Approval of this grant of convening authority will ensure timely referral of general courts-martial and enhance good order and discipline in the remain-behind commands, thereby increasing the ability of deployed 1st Force Service Support Group commanders to focus on their operational missions. At the same time, those deployed commanders would retain the authority to convene special courts-martial for incidents arising in-theater, and the flexibility and discretion to return personnel and cases for disposition by the Commanding Officer, 1st Force Service Support Group (Rear).

7. This Command is executing a deployment order; however, the authority requested is expressly described to become effective when the 1st Force Service Support Group (Rear) becomes a separate or detached command by virtue of the deployment of the 1st FSSG and to remain in effect only so long as the 1st FSSG is deployed. Advance approval of this request will allow for the more orderly administration of military justice and related matters and avoid delays in case processing.



E. G. USHER III

Copy to:
COMMARFORPAC
CG I MEF
CO 1stFSSG (Rear)



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

IN REPLY REFER TO:

5800

JAM4

MAR 31 2003

FOURTH ENDORSEMENT on CO, MCSFBn ltr 5800 LEG of 17 Dec 02

From: Commandant of the Marine Corps (JAM)
To: Judge Advocate General of the Navy (Code 20),
Washington Navy Yard, Bldg 111, 716 Sicard Street S.E.,
Suite 1000, Washington, D.C. 20374-5047

Subj: REQUEST FOR AUTHORITY TO CONVENE SPECIAL COURTS-MARTIAL

1. Forwarded recommending approval.
2. The basic correspondence is a request for Secretarial authority for the Commanding Officer, Second Fleet Anti-Terrorism Security Team Company (2nd FAST) to convene special courts-martial.
3. 2nd FAST supports the U.S. Navy worldwide. It is commanded by a major and is comprised of 15 officers and 374 enlisted personnel. The size and mission of the unit justify approval.
4. The commanding officers of every other company within Marine Corps Security Force Battalion (MCSFBn) - including 1st FAST - have already received Secretarial authority to convene special courts-martial.

R. G. Sokoloski
R. G. SOKOLOSKI
By direction

Copy to:
COMMARFORLANT



UNITED STATES MARINE CORPS

U.S. Marine Corps Forces, Atlantic
1468 Ingram Street
Norfolk, Virginia 23551-2596

5800

SJA

17 MAR 2003

THIRD ENDORSEMENT on CO, MCSFBn ltr 5800 LEG of 17 Dec 02

From: Commander, U.S. Marine Corps Forces, Atlantic
To: Secretary of the Navy
Via: (1) Commandant of the Marine Corps (JAM)
(2) Judge Advocate General of the Navy (Code 20)

Subj: REQUEST FOR AUTHORITY TO SPECIAL COURTS-MARTIAL

1. Forwarded, recommending approval.
2. If approved, the Commanding Officer, Second Fleet Anti-Terrorism Security Team Company would have the authority to effectively and efficiently resolve military justice matters at the lowest appropriate level.

A handwritten signature in dark ink, appearing to read "M. R. Berndt".

M. R. BERNDT

Copy to:
CG, II MEF
CG, 4th MEB (AT)
CO, MCSFBn
CO, 2dFASTCo



UNITED STATES MARINE CORPS
II MARINE EXPEDITIONARY FORCE
PSC BOX 20080
CAMP LEJEUNE, NORTH CAROLINA 28542-0080

IN REPLY REFER TO:

5800

SJA

MAR 03 2003

SECOND ENDORSEMENT on CO, MCSFBn ltr 5800 LEG of 17 Dec 02

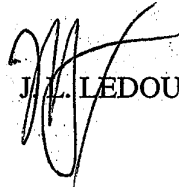
From: Commander, II Marine Expeditionary Force

To: Secretary of the Navy

Via: (1) Commanding General, U.S. Marine Corps Forces Atlantic
(2) Commandant of the Marine Corps (Code JAM)
(3) Judge Advocate General of the Navy (Code 20)

Subj: REQUEST FOR AUTHORITY TO CONVENE SPECIAL COURTS-MARTIAL

1. Forwarded, recommending approval.


J. L. LEDOUX

Copy to:
File



UNITED STATES MARINE CORPS
4TH MARINE EXPEDITIONARY BRIGADE (AT)
PSC BOX 20071
CAMP LEJEUNE, NC 28542-0071

IN REPLY REFER TO:
5800
SJA
FEB 07 2003

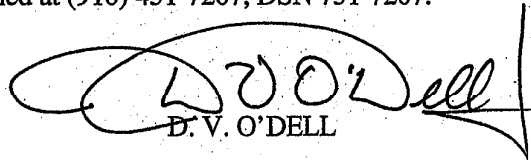
FIRST ENDORSEMENT on CO, MCSFBn ltr 5800 LEG of 17 Dec 02

From: Commanding General, 4th Marine Expeditionary Brigade (AT)
To: Secretary of the Navy
Via: (1) Commanding General, II Marine Expeditionary Force
(2) Commanding General, U. S. Marine Corps Forces Atlantic
(3) Commandant of the Marine Corps (Code JAM), 2 Navy Annex, Washington, DC 20380
(4) Judge Advocate General of the Navy (Code 20), 200 Stovall Street, Alexandria, VA
22332-2400

Subj: REQUEST FOR AUTHORITY TO CONVENE SPECIAL COURTS-MARTIAL

Ref: (a) Article 23, UCMJ
(b) JAGINST 5800.7C (JAGMAN)
(c) MCO P1400.32C (MARCORPROMMAN)

1. Forwarded, recommending approval.
2. Per references (a) and (b), it is requested that the Commanding Officer, 2d Fleet Anti-Terrorism Security Team be authorized to convene special courts-martial.
3. Per reference (c), approval of the request will allow the Commanding Officer, an O-4/Major, to promote enlisted personnel up to the rank of sergeant. Additionally, it will permit the Commanding Officer to reduce sergeants and below one rank at non-judicial punishment.
4. Per paragraph 0121f of reference (b), the following information is provided:
 - a. All other Commanding officers' in the Marine Corps Security Force Battalion have special courts-martial convening authority.
5. Major M. F. Fussa, Staff Judge Advocate, 4th Marine Expeditionary Brigade is the point of contact regarding this matter. He can be reached at (910) 451-7207, DSN 751-7207.


D. V. O'DELL

Copy to:
CO, 2dFASTCo
Files



UNITED STATES MARINE CORPS
Marine Corps Security Force Battalion
1320 Piersey Street
Norfolk, Virginia 23511-2598

IN REPLY REFER TO:

5800

LEG

DEC. 2002

From: Commanding Officer, Marine Corps Security Force Battalion
To: Secretary of the Navy
Via: (1) Commanding General, 4th Marine Expeditionary Brigade
(2) Commandant of the Marine Corps (JAM), Headquarters U.S. Marine Corps, 2 Navy Annex, Washington, DC, 20380-1775
(3) Judge Advocate General of the Navy (Code 20), 200 Stovall Street, Alexandria, VA 22332-2400

Subj: REQUEST FOR AUTHORITY TO CONVENE SPECIAL COURTS-MARTIAL

Ref: (a) Article 23, UCMJ
(b) JAGINST 5800.7c (JAGMAN)
(c) MCO P1900.16E (MARCORSEPMAN)

1. Second Fleet Anti-Terrorism Security Team Company (2nd FAST) is located in Norfolk, Virginia. Its mission is to support the U.S. Navy worldwide. 2nd FAST's Table of Organization (T/O) consists of 15 officers and 374 enlisted personnel. It is commanded by a Major. Per references (a) and (b) the Commanding Officer of 2nd FAST does not have authority to convene Special Courts-Martial.

2. Without special courts-martial convening authority, all special courts-martial case must be forwarded to the Commanding Officer, Marine Corps Security Force Battalion, who is at Naval Station, Norfolk, Virginia. This causes a disruption in the flow of military justice because cases cannot be resolved locally at the lowest level of command. Also, without special court-martial convening authority, the Company Commander cannot convene administrative discharge boards under reference (c). Finally, other Marine Corps Security Force Companies within the Battalion have special court-martial convening authority.

3. As required by paragraph 0121f of reference (b), the following information is provided:

- a. **Number of cases rererred.** One case from this command has been rererred to a special courts-martial this fiscal year.
- b. **Role of reorganization and downgrading.** Reorganization and downgrading is not the reason for this request.
- c. **SPCMCA if request is not approved.** The Commanding Officer, Marine Corps Security Force Battalion, will convene special courts-martial for the Company if this request for authority is denied.

Subj: REQUEST FOR AUTHORITY TO CONVENE SPECIAL COURTS-MARTIAL

d. Additional/tenant commands. The company is not responsible for additional commands or tenant commands.

e. Number of personnel: operational and administrative responsibility. As indicated above, the Company has a T/O of 15 Officers and 374 enlisted members.

f. Geographical reasons necessitating SPCMA. The Battalion is located in Norfolk, Virginia and the Company is located at Yorktown, Virginia.

B.A. Gandy
B. A. GANDY



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

IN REPLY REFER TO:

5800

JAM7

SEP 26 2003

SECOND ENDORSEMENT on CG, II MEF ltr 5800 SJA of 30 Jul 03

From: Commandant of the Marine Corps (JAM)
To: Judge Advocate General of the Navy (Code 20), 1322
Patterson Avenue, Suite 3000, Washington Navy Yard, DC
20374-5047

Subj: REQUEST FOR SPECIAL COURTS-MARTIAL CONVENING AUTHORITY
FOR THE COMMANDING OFFICER OF 2D AIR AND NAVAL GUNFIRE
LIAISON COMPANY

1. Forwarded, recommending approval.
2. The Commanding Officer, 2d Air and Naval Gunfire Liaison Company (2d ANGLICO) was given Secretarial authority to convene special courts-martial in 1966; however, they were disbanded in 1998. On 11 July 2003, 2d ANGLICO was reactivated.
3. The basic correspondence is a request for Secretarial authority for the Commanding Officer, 2d ANGLICO, Camp Lejeune, North Carolina, to convene special courts-martial.
4. 2d ANGLICO is commanded by a lieutenant colonel and is comprised of 39 Marine officers, 214 Marine enlisted personnel, 2 U.S. Navy officers, and 4 U.S. Navy enlisted personnel. The size and mission of the unit justify approval.
5. 3d ANGLICO received Secretarial authority to convene special courts-martial on 26 January 2000.

M. R. STAHLMAN
By direction

Copy to:
CG, IIMEF



UNITED STATES MARINE CORPS

U.S. Marine Corps Forces, Atlantic
1468 Ingram Street
Norfolk, Virginia 23551-2596

5800

SJA

AUG 26 2003

FIRST ENDORSEMENT on CG, II MEF Ltr 5800 SJA of 30 Jul 03

From: Commander, U.S. Marine Corps Forces, Atlantic
To: Secretary of the Navy
Via: (1) Commandant of the Marine Corps (JAM), Headquarters
U.S. Marine Corps, 2 Navy Annex, Washington, DC,
20380-1775
(2) Judge Advocate General of the Navy (Code 20), 200
Stoval Street, Alexandria, VA 22332-2400
Subj: REQUEST FOR SPECIAL COURTS-MARTIAL CONVENING AUTHORITY
FOR THE COMMANDING OFFICER OF 2D AIR AND NAVAL GUNFIRE
LIAISON COMPANY

1. Forwarded, recommending approval.

2. If approved, the Commanding Officer, 2D Air and Naval Gunfire Liaison Company (ANGELICO), would have the authority to effectively and efficiently resolve military justice matters at the lowest appropriate level.


T. L. MOORE, JR.

copy to:
CG, II MEF
File



UNITED STATES MARINE CORPS

II MARINE EXPEDITIONARY FORCE
PSC BOX 29080
CAMP LEJEUNE, NC 28542-0080

IN REPLY REFER TO:
5800
SJA
30 Jul 03

From: Commanding General, II Marine Expeditionary Force
To: Secretary of the Navy
Via: (1) Commander, Marine Forces Atlantic (Attn: SJA)
1468 Ingram St, Norfolk VA 23551-2596
(2) Commandant of the Marine Corps (Code JAM)
2 Navy Annex, Washington, DC 20380

Subj: REQUEST FOR SPECIAL COURTS-MARTIAL CONVENING AUTHORITY FOR THE
COMMANDING OFFICER OF 2D AIR AND NAVAL GUNFIRE LIAISON COMPANY

Ref: (a) Article 23, UCMJ
(b) JAGINST 5800.7c (JAGMAN)
(c) MCO P1400.32c (MARCORPROMMAN)

1. Per references (a) and (b), it is requested that the Commanding Officer, 2d Air and Naval Gunfire Liaison Company (ANGLICO), II Marine Expeditionary Force, be authorized to convene special courts-martial.

2. Per reference (c), approval of the request will allow the Commanding Officer, an O-5/LtCol, to promote enlisted personnel up to the rank of sergeant. Additionally, it will permit the Commanding Officer to reduce sergeants and below one rank at non-judicial punishment.

3. Per paragraph 0121f of reference (B), the following information is provided:

- a. No cases have been referred to special courts-martial this calendar year.
- b. Reorganization and downgrading is not the reason for this request.
- c. The Commanding Officer, II Marine Expeditionary Force Headquarters Group, II Marine Expeditionary Force will handle military justice matters if the request is not approved.
- d. There are no additional commands or tenant commands for which the requested convening authority is responsible.
- e. The 2d ANGLICO table of organization consists of 39 Marine officers, 214 Marine enlisted personnel, 2 U.S. Navy officers and 4 U.S. Navy enlisted personnel.

4. A point of contact is Colonel D. M. Wunder, Staff Judge Advocate, II Marine Expeditionary Force at (910) 451-8393, DSN 751-8393.

H.P. OSMAN
H. P. OSMAN

Copy to:
CO, 2d ANGLICO
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5800
JAR2/21610
15 DEC 2003

SJA TO CMC COMMENT on CMC (DMCS) MCATS task of 21 Nov 03

Subj: 2003 GREEN LETTER REVIEW

Encl: (1) Proposed Legal Restrictions on Lobbying Green Letter

1. **Issue.** You asked for our evaluation of two old Green Letters: 1-83, Legal Restrictions on Lobbying, and 5-96, Utilization of Judge Advocates. We evaluated each for possible revision or deletion.

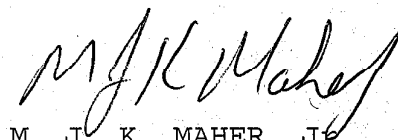
2. **Analysis**

a. 1-83, Legal Restrictions on Lobbying. The information in this letter remains useful. Enclosed is a proposed updated version. As suggested in an earlier email, Office of Legislative Affairs, as well as, Counsel for the Commandant should also review the matter.

b. 5-96, Utilization of Judge Advocates. This information is adequately covered at BGSOC and the GOS. You may cancel this Green Letter.

3. **Recommendations.** Publish the proposed replacement Green Letter regarding Legal Restrictions on Lobbying after obtaining input with OLA and CL. Cancel the Green Letter on Utilization of Judge Advocates.

Drafted by: Maj Rishel
614-2510


M. J. K. MAHER, JR.
By direction

PERSONAL

GREEN LETTER NO.

From: Commandant of the Marine Corps
To: All General Officers
All Senior Executive Service Members

Subj: LEGAL RESTRICTIONS ON LOBBYING AND RELATED ACTIVITIES

1. The "Anti-Lobbying Act", 18 U.S.C. § 1913, prohibits the expenditure of federal appropriations in furtherance of grass roots lobbying efforts, where an attempt is made to induce the public to contact Congress and persuade Members to support or oppose pending legislation.
2. The provisions of the "Anti-Lobbying Act" are not intended to prohibit an ongoing dialogue or interaction between the Marine Corps and the public in an educational effort to explain official positions. Where, however, that conduct develops into a publicity or marketing campaign designed to convince citizen groups to contact Congress, the boundary has been crossed.
3. A recurring provision in DOD's annual appropriations acts provides that no DOD appropriations "shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress."
4. In compliance with this direction, material distributed to the public, either to individuals or to organizations, should never suggest that they contact their Congressional representatives to support a program or legislative action. Marines must be particularly circumspect during contact with industry, associations, or interest groups. They should never suggest that organizations activate their membership to contact Members of Congress and should not provide multiple copies of materials for distribution by such entities.
5. Under 5 U.S.C. § 3107, "appropriated funds may not be used to pay a publicity expert unless specifically appropriated for that purpose." This statute does not prohibit an agency's legitimate informational efforts or promotional functions where authorized by law. Instead, its intent is to prohibit publicity activity undertaken to reflect credit upon an agency or agency officials, rather than further the agency's programmatic objectives.

Subj: LEGAL RESTRICTIONS ON LOBBYING AND RELATED ACTIVITIES

6. Another recurring provision in DOD's annual appropriations acts provides that DOD appropriations shall not be used for "publicity or propaganda purposes not authorized by the Congress."

a. This provision prohibits "self-aggrandizing" activities referring to publicity activities that tend to emphasize the importance of the agency through exaggeration.

b. The provision also prohibits "covert propaganda" (e.g., information that is misleading as to its origin, including materials that an agency or its contractors prepare and circulate as the apparent position of parties outside the agency).

c. The provision does not prohibit legitimate informational activities, such as reporting about and explaining agency activities and programs, justifying agency policies to the public, or rebutting attacks on agency policies.

7. Ensure that all concerned military and civilian employees understand and scrupulously adhere to these restrictions on lobbying.

M. W. HAGEE